IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

MONDAY THE SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE
: PRESENT:
THE HON'BLE Mr. JUSTICE: **M.VENKATESWARA REDDY**
CRIMINAL PETITION No. **4902 of 2005**

Between:

1. Gaddam Badraiah s/o Bhumaiah
2. Smt. G. Laxmi w/o G. Badraiah
3. G. Chandragupta S/o G. Badraiah
4. G. Chanakya S/o G. Badraiah

All R/o H.No. 26-8, Laxmi Ice Factory, Ashok Road, Manchirayal, Adilabad.

.. Petitioner
(Accused in Cr. No. 125/05 P.S Nirmal Town

And

The State of A.P., through P.S Nirmal Town, rep. by Public Prosecutor, High Court of A.P. Hyderabad.

.. Respondent
Complainant

COUNSEL FOR PETITIONER : Mr. PETTEM RAJAIAH

COUNSEL FOR RESPONDENT : The Public Prosecutor.

Petition under Sections 438 of Cr. P.C. praying that in the circumstances stated in the affidavit filed therewith the High Court may be pleased to grant the Anticipatory Bail to the petitioners/ Accused No. 1 to 4 and direct the S.H.O Police Station Nirmal Town, Adilabad District to release the petitioners on bail,. In the event of their arrest in Crime No. 125/05 of P.S Nirmal Town for the offence U/s. 498-A IPC Sec. 3 & 4 of D.P. Act, section 324, 504 and 506 of IPC.

The Court made the following :

ORDER :

Petitioners, who are A-1 to A-4 in crime No. 125 of 2005 of Nirmal Town Police Station, Adilabad District, registered for the offences punishable under section 498-A IPC read with section 3 and 4 of Dowry Prohibition Act and sections 324, 504 and 506 IPC, are seeking anticipatory bail.

Haeard the learned counsel for the petitioners and the learned Additional Public Prosecutor, and perused the material available on record.

The defacto-complainant is the father-in- law of one Gaddam Ashok. The first petitioner is the father, the second petitioner is the mother and petitioners 3 and 4 are the brothers of the said Ashok. The said Ashok committed suicide on 25-05-2005. The complaint from which the case arises was presented by the father-in-law of the said Ashok alleging the commission of offences punishable under section 498-A, read with 3 and 4 of the Dowry Prohibition Act and Sections 324, 504 and 506 IPC. The first information Report in the suicide case was lodged on 06-08-2005.

The learned counsel for the petitioners submits that the father of the deceased i.e., the first petitioner came to know that on account of the harassment meted out to the deceased at the hands of the petitioners herein i.e., father-in-law and the wife of the deceased and others, his son committed suicide and therefore, there is a dely in lodging the FIR. He also submits that to escape from the clutches of law, as a preemptive action, the father-in-law of the deceased Ashok preferred this complaint. The complaint is not only against the parents but also against the brothers of the deceased who are studying MCA and LL.B., final.

In the above circumstances, I feel that the facts justify granting of anticipatory bail.

Accordingly, the petitioners shall be enlarged on bail, in the event of their arrest in the above crime, on each of them executing a personal bond for a sum of Rs. 5,000/- (Rupees five thousand only) with two sureties for a like sum each to the satisfaction of the Station House Officer, Nirmal Town Police Station, Adilabad District.

The Criminal petition is accordingly allowed.

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ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Judicial Magistrate of First Class at Nirmal Adilabad District.
2. The Judl. First Class Magistrate at Luxettipet.

3. The S.H.O., P.S. Nirmal Town, Adilabad District.
4. Two CC's to the Public Prosecutor, High Court of A.P., Hyd (OUT)
5. One Spare Copy

AGS

HIGH COURT

MVR J

DATE: 07/11/2005

CRL.P.NO: 4902/2003

Bail Order

AGS
DRAFTED ON : 08/11/200

HIGH COURT

MVR JC

DATE: 07/11/2005

CRL.P.NO: 4902/2003

BAIL ORDER